

**REGULAR BOARD MEETING OF THE TOWN BOARD
OF THE TOWN OF NEW HARTFORD, NEW YORK,
HELD AT TOWN HALL
8635 CLINTON STREET, NEW HARTFORD, NY ON
WEDNESDAY, DECEMBER 8, 2021 @ 6:00 P.M.**

Town Supervisor Miscione called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials and Department Heads being present during the progress of the meeting.

TOWN BOARD MEMBERS PRESENT:

Councilman James J. Messa
Councilman Richard M. Lenart
Councilman David M. Reynolds
Councilman Richard Woodland
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Town Attorney Herbert Cully
Deputy Town Supervisor Anthony J. Trevisani
Police Chief Michael Inserra
Town Clerk Cheryl Jassak-Huther
Bookkeeper/Supervisor Deanna Spina

ABSENT: Assistant Director of Personnel Barbara Schwenzfeier
Highway Superintendent Richard Sherman

Thereafter a quorum was declared present for the transaction of business.

I. BOARD MINUTES FOR APPROVAL

A. November 3, 2021

Councilman Woodland introduced the following Resolution for adoption and seconded by Councilman Lenart.

(RESOLUTION NO. 417 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve board meeting minutes for November 3, 2021.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye

Supervisor Miscione - Aye

The Resolution was unanimously carried and duly *ADOPTED*.

B. November 10, 2021

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Lenart.

(RESOLUTION NO. 418 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve board meeting minutes for November 10, 2021.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

II. MATTERS SUBMITTED BY TOWN SUPERVISOR

- A. New Employee – Deanna Spina; Bookkeeper to the Supervisor to replace Lisa Smigle; started November 18, 2021; \$20/hour; Town Supervisor’s appointment; benefits will start January 2022

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Messa.

(RESOLUTION NO. 419 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve the new hire of Deanna Spina as Bookkeeper to the Supervisor.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

B. Audit 2020 – Financial Highlights

1. At the close of the current fiscal year, the Town’s governmental funds, excluding the Capital Projects Fund, reported combined ending fund balances of \$9,838,082, an increase of \$629,731.
2. At the end of the current fiscal year, unassigned fund balance for the General Fund was \$2,717,916, or 74.1 percent of total General Fund expenditures and transfers out. This total amount is available for spending at the Town’s discretion and constitutes approximately 84.0 percent of the General Fund’s total fund balance of \$3,236,936 at December 31, 2020.
3. During year ended, December 31, 2020, the total fund balance of the Town’s General Fund increased by \$24,448 during the current fiscal year, primarily as a result of savings within general government support expenditures.
4. During year ended, December 31, 2020, the Police Fund’s fund balance increased \$307,363 as a result of savings related to public safety and employee benefits expenditures.
5. During year ended, December 31, 2020, Highway Town-wide Fund balance increased by \$83,372 due to savings realized within transportation expenditures and increased revenue related to sales tax.
6. During year ended, December 31, 2020, Highway Part-Town Fund increased by \$121, 734 primarily due to savings realized within transportation expenditures.
7. During year ended, December 31, 2020, the Sewer Fund’s fund balance decreased \$12,498, primarily as a result of more than anticipated employee benefits expenditures.

C. Oneida Street Box Culvert Installation Construction Bid Award – Bid Date – November 17, 2021 – open publicly at 11am – following bidders:

1. James Bray Paving - \$374,000
2. Marcy Excavation Services - \$640,515
3. CCI Companies, Inc. - \$388,000
4. Borderline Excavating and Fencing - \$638,850
5. Joblonski Excavating - \$490,000
6. DH Smith - \$614,036
7. Slate Hill Constructors - \$452,825

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Lenart.

(RESOLUTION NO. 420 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to award the Oneida Street Box Culvert Installation Construction Bid to James Bray Paving (\$374,000).

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

- D. Sales Tax Calculation entered in – under 2% and accepted
- E. Codes Department – Lary Gell put together and handed out a folder with multiple code violations (documents and letters sent out)
 - 1. 12 Thornwood (up in Woodberry) – trash in the backyard – owner was cited – received calls/emails
 - 2. 19 Larchmont Drive – owner Barbara Kicinski and occupant – Town Attorney Herbert Cully – Lary Gell and Herb were in court last week – owner did not show up – ongoing for several months – at last appearance, over the summer, she indicated that she wanted to correct the issues – the judge was kind enough to give her until last week to make some progress – Lary went out that day and was very little progress – Ms. Kicinski did not show up for the hearing, the judge issued a fine and suggested we immediately refile another one – what we are driving toward is having a weekly fine of \$250 a week which the court can direct and as well, if there have been multiple violations and the person hasn't corrected them then we can bring a nuisance proceeding in court (probably planning on going with that); believes to have one of her children residing with her, working on vehicles – he says will get it taken care of – Lary went by and nothing has been done – Lary sent another deficiency notice and we are bringing another proceeding to Town Court; Lary Gell – sending another summons out, another violation letter; nothing has really changed; Ms. Kicinski does not live there with her son – she does not answer calls, etc.; Cars are being moved from the road to out back; Lary has not been inside but the outside has dishwashers, lawnmower, pellet stoves, five vehicles, air conditioners, etc. (mess); Town Attorney Herbert Cully – under our nuisance law we can go in and clean it all up and then bill them for the cost of removing it but then what do you do because some of the stuff may have value; Councilman Reynolds – we should take action before we get more
 - 3. 11 Center Terrace – Town Attorney Herbert Cully - owner is Janet Marsh – she has not resided there for a period of several years; Google searched and found relatives and spoke to a

- daughter; Town Attorney Herbert Cully – there is an open mortgage with Adirondack Bank – taxes are paid – Dory talked to daughter who put her in touch with another daughter which gave her information – told Dory they are in the progress to see what they can do to rehabilitate the property or just get rid of it; nice house, can be flipped; Dory is calling daughter back
4. 17 Medford Place – Fire that destroyed the home on November 1st and letters keep coming back; Councilman Reynolds – was in violation before the fire – never got any complaints, last house on the road – left off of Rt. 12 – in violation long before the fire – unsafe structure
 5. 9364 Elm Street - Town Attorney Herbert Cully – should commence proceedings against that, in bad shape, as long as the Town is aware of the cost of demolition, etc., and try to add it back for taxes; Councilman Messa – its been on going, getting numerous phones calls on the property; Town Attorney Herbert Cully – will initiate the action – Lary has to give a report to the Board at the next meeting, mail a copy to the resident (even if the person is not getting it – getting returned mail), then the Board will make a Resolution to go forward with demolition

Supervisor Miscione – there has been a lot of work done on all of these – the Codes Department has kept up with all of these 100%, Supervisor Office and Town Attorney Herbert Cully as well – spending a lot of time, getting a lot of resident’s calls – want something done, need to go to the next step. We have done everything we could.

6. 2 Mapledale Avenue – Fire at the home – United Contractors took out a permit to have the home demolished – Lary will be following up on the demolition permit – it is only good for 30 days.
7. Town Attorney Herbert Cully – New Hartford Hotel – we had a complaint from a resident who said he was in one of the rooms – no heat, the toilet was backing up – Lary went right over there – they moved the resident – we sent out another violation letter – in the interim, we got a call from Mr. Pavia (local realtor) indicating they are in the process of selling the property or prior owner is taking it back – Lary indicated it is not a done deal yet – Lary and George met with them – see what direction they are heading in – met with Danny as to what they need to do, immediate owner was there as well – it is getting turned over to Danny (Visions) – going to redo it all (safety items, etc.) but has not taken full possession yet; Town Attorney Herbert Cully – Mr. Pavia indicated they are going to renovate it and try to get a National Chain to take it over (can’t disclose the name).; Lary also called the County Health Dept. – three (3) people are there, some put in by the Oneida County Health Department (long term)

– which is against our Code.; Chief Inserra – call volume has gone up (prior tenants that were evicted trying to get back in, etc.); Councilman Reynolds – Fire Department calls as well

Supervisor Miscione with the update:

1. 2 Mapledale Avenue – Lary will follow up with the demo permit and give update at the Dec. 22nd meeting
2. 17 Medford Place – fire damaged structure – unsafe – Town Attorney Herbert Cully will initiate immediate action

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Messa.

(RESOLUTION NO. 421 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to deem 17 Medford Place as an unsafe structure.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

3. 9364 Elm Street – unsafe vacant building, owner not responding to numerous letters; Lary to give Town Attorney Herbert Cully a written report itemizing all the things wrong and then can go right to deeming it an unsafe structure and then will commence with the proceeding.

Councilman Messa introduced the following Resolution for adoption and seconded by Councilman Woodland.

(RESOLUTION NO. 422 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to deem 9364 Elm Street as an unsafe structure.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye

Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

- 4. 11 Center Terrace – unoccupied/abandoned home – owner not responding to numerous letters – we are letting the owner that the next step – written report to the Board for Dec. 22nd meeting – notify owner that it is going to be discussed at the next Board meeting and have an opportunity to be heard

Councilman Messa introduced the following Resolution for adoption and seconded by Councilman Reynolds.

(RESOLUTION NO. 423 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to deem 11 Center Terrace as an unsafe structure if owner does not respond back in 30 days.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

- 5. 19 Larchmont Drive – outstanding violations - doing another violation; nuisance hearing – waiting for another Court date

Councilman Lenart introduced the following Resolution for adoption and seconded by Councilman Messa.

(RESOLUTION NO. 424 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to do another violation and then nuisance hearing for 19 Larchmont Drive.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye

Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

- 6. 12 Thornwood – nuisance hearing – need to get it cleaned up – George sent a notice out and it came back – neighbor gave permission to George Farley to go on their property to take photos – he reviolated the owner of 12 Thornwood

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Lenart.

(RESOLUTION NO. 425 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to move forward after the 30 days on 12 Thornwood with a Nuisance hearing.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

III. MATTERS SUBMITTED BY TOWN CLERK

- A. Friends of the ARC Foundation, Inc. requesting permission to sell raffle tickets within the Town of New Hartford

Councilman Woodland introduced the following Resolution for adoption and seconded by Councilman Reynolds.

(RESOLUTION NO. 426 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to allow the Friends of the ARC Foundation, Inc. to sell raffle tickets within the Town of New Hartford.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye

Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

IV. MATTERS SUBMITTED BY COUCILMEN

A. Councilman Messa

1. Decorum for town board meetings and adopt for 2022 meetings – meetings are getting out of control in terms of language that is being used towards either Council or Board members, Board is being disrespected – Herb looked into decorum (Manlius and Fayetteville) – good starting point to adopt; Supervisor to take control of the meetings – adopt rules for the Town Board meetings (the Rules of Conduct for Public Meetings will be posted online with the agendas as well in the Town Hall)

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Messa.

(RESOLUTION NO. 427 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to adopt Rules of Conduct for Public Meetings.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

2. Update on changing building permit time period for sub divisions and developments – one-year maximum limit; Town Attorney Herbert Cully – projects that are approved years ago – there are still some undeveloped lots – sent a detailed memo to the Association of Towns Council for input that they would have on this issue – once it’s an approved project and the Planning Board stamps it, its cut in stone (as far as Herb is concerned) – will update
3. Resolution for Assemblyman Miller for speed reduction from Brimfield Rt 12 to Genesee Street (Town Park) – it is a State Road – asking for a Resolution from the Board and then he will take it to his office and then to the State.

Councilman Messa introduced the following Resolution for adoption and seconded by Councilman Reynolds.

(RESOLUTION NO. 428 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve the Resolution to support a speed reduction on New York State Route 12 from Brimfield Street to Genesee Street.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

4. Flags for Memorial Day from Elm St. to American Legion on Oneida St. Purchase flags – Councilman Messa will be checking to see what size they are asking for (12 x 18 or flags for the telephone poles).
5. Update on Roman Rd and Twyndom Rd. retention ponds – Supervisor Miscione – moved the retention pond (showed a map) – meeting with the farmer, Thursday (Dec. 9th) to approve it – to get the ok and then we can move forward.
6. Update on additional insurance coverage for 10 wheelers for winter months – Supervisor Miscione – Gates Coles is working on it – will have pricing at the December 22nd meeting; it is expensive – we have a total of 18 trucks
7. Crime and Pollution Renewal Application

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Messa.

(RESOLUTION NO. 429 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve Supervisor Miscione to sign the Crime and Pollution Renewal Application through Gates Cole Insurance.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

- 8. Install Deer Crossing signs on Oneida St. from Glencrest to O'Baby's section - multiple MVA's – Supervisor Miscione – signs are on backorder and then will be installed
- 9. Update on remodeling of Board Room – Supervisor Miscione showed a design from Paul Downs – they make everything (tables and design, etc.) – meeting with the engineers next week and will get a price and then can go out to bid – desks, podium, tv's around the room, be able to hear people better and show presentations, etc.

B. Councilman Lenart

- 1. Police Advisory/Commission Board Vacancy – needs to be appointed by the 1st of the year – needs to be posted on the website to say there is a vacancy and then vote on it within the next two week and has to be in the 2nd Ward
- 2. Follow up to last month's meeting – Planning Board Vacancy – would like to make a motion to make an appoint for tonight – would like to nominate Lisa Britt from the 4th Ward – nominate Lisa for that vacancy; Councilman Reynolds – lucky we have people that are interested in serving on these Boards and after looking at her qualifications and Mr. Timpano's – I would like to nominate Mr. Timpano for that position; Town Attorney Herbert Cully – you made the motion (Councilman Lenart) – you have to see if there is a second to that motion and then discussion and a vote; Supervisor Miscione – before we make any decision, for full transparency – we don't need someone until the 1st of the year – make sure posted long enough; Councilman Messa – we didn't have the Nov. 22nd meeting and it was posted – going to second Rich's motion; Town Attorney Herbert Cully – have a motion on the table, seconded, discussion – trying to clarify the proceeding because technically there was discussion before the motion was seconded.

Councilman Lenart introduced the following Resolution for adoption and seconded by Councilman Messa.

(RESOLUTION NO. 430 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to appoint Lisa Britt to the Planning Board vacancy.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye

Councilman Reynolds	-	No
Councilman Woodland	-	Aye
Supervisor Miscione	-	No

The Resolution was carried and duly *ADOPTED*.

Town Attorney Herbert Cully – The vacancy exists at this point – there is a meeting next week – someone mention the vacancy wasn’t until next year – we already have the vacancy – did Bill Morris resign?; Town Clerk Cheryl Jassak-Huther – it is vacant until January 1, 2022, we have not accepted a resignation from Bill Morris at this time; Town Supervisor Miscione – we have to accept his resignation first before appointment; Town Attorney Herbert Cully – would have to be effective January 1, 2022.

V. MATTERS SUBMITTED BY TOWN SUPERVISOR

A. Renewal for Storage Tank Pollution Coverage

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Lenart.

(RESOLUTION NO. 431 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve for Town Supervisor Miscione to sign the renewal for the Storage Tank Pollution Coverage.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

VI. MATTERS SUBMITTED BY TOWN ATTORNEY HERBERT CULLY

- A. Councilman Messa received a letter from Neil Pritchard dated November 14th – inquiry of residency of Town Officers (Herb read letter to Board) – Herb will look into the letter and request
- B. Road dedication for Wishaway Woods Lane – the road is being conveyed by two separate deeds; each side is owned by a different party. Approved by the Town – signed off by Rick as to the construction – Board received Herb’s letter recommending approval of the road dedication – Herb has reviewed the abstract, title, deeds and all supporting documents – asking for a Resolution to approve the dedication of Wishaway Woods Lane – also have a letter from Donato

Real Estate Appraisal and Consulting - Per the letter from Donato: *I have completed a restricted appraisal report for a new access road that has been constructed (Wishaway Woods Lane) as an offshoot of Ironwood Road in the Town of New Hartford. The subject road is a total of 363 linear feet with a cul-de-sac at the end. The subject road has 110 feet of frontage (width) at Ironwood Road, then narrows to 90 feet for 152 feet long, then opens to a cul-de-sac with a 180 +/- foot diameter. The road contains a total of .854 acres and meets all criteria for a public road (width, turning radius for emergency vehicle access, etc.) The road is paved and has natural gas lines, public water lines with laterals and T's, public sewer lines and fire hydrant lines. The cost of the road is in excess of \$275,000. The function of this report is to determine a value of the road, which is being dedicated to the Town. The \$275,000 cost discussed above does not include the value of the land, this amount is the estimate of the improvements on the parcel (paving, water laterals, etc.) The value of the parcel, as improved is considered to be the cost of the improvements (the improvements are new and have not experienced physical depreciation) plus the value of the land, estimated to be a total of \$300,000.;* Town Attorney Herbert Cully – we have met all the requirements for a dedication except for a Resolution from the Board agreeing to the dedication and accepting it as a Town Road.

Councilman Lenart introduced the following Resolution for adoption and seconded by Councilman Messa.

(RESOLUTION NO. 432 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve the dedication and accepting Wishaway Woods Lane as a Town road.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Abstain

The Resolution was unanimously carried and duly *ADOPTED*.

VII. MATTERS SUBMITTED BY TOWN SUPERVISOR

- A. Budget Adjustment for year 2021 (transfer) – decrease is B80100.41 (contractual – zoning board) for \$1,500.00 and increase B80100.40 (contractual – zoning) for \$1,500.00

Councilman Lenart introduced the following Resolution for adoption and seconded by Councilman Messa.

(RESOLUTION NO. 433 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to increase funding for zoning contractual from zoning board contractual for \$1,500.00.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

B. Vouchers

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Woodland.

(RESOLUTION NO. 434 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to pay the vouchers.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

C. Adirondack Bank Wire Transfer Agreement

Councilman Messa introduced the following Resolution for adoption and seconded by Councilman Reynolds.

(RESOLUTION NO. 435 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to Supervisor Miscione to sign the Adirondack Bank Wire Transfer Agreement.

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

D. Executive Session to discuss a particular employee

Councilman Messa introduced the following Resolution for adoption and seconded by Councilman Reynolds.

(RESOLUTION NO. 436 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to enter in to Executive Session for personnel issue (7:34pm).

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Messa.

(RESOLUTION NO. 437 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to come out of Executive Session (7:51pm).

The Town Board voted upon roll call, resulting as follows:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye

The Resolution was unanimously carried and duly *ADOPTED*.

- E. Town Attorney Herbert Cully – Resolution to ask the County of Oneida to go forward with a Promotional Exam for the position of Police Chief and to authorize the Chief to notify the County and Barb may as well as she is the head of Personnel – this is a Promotional Exam only

Councilman Reynolds introduced the following Resolution for adoption and seconded by Councilman Messa.

(RESOLUTION NO. 438 OF 2021)

RESOLVED, the Town of New Hartford Town Board does hereby approve to ask the County of Oneida to move forward with a Promotional Exam for the position of Police Chief.

The Town Board voted upon roll call, resulting as follows:

- Councilman Messa - Aye
- Councilman Lenart - Aye
- Councilman Reynolds - Aye
- Councilman Woodland - Aye
- Supervisor Miscione - Aye

The Resolution was unanimously carried and duly *ADOPTED*.

- F. Councilman Lenart – asked about the Mud Creek – dirt – sign off to leave the dirt; item to be discussed further later

ADJOURNMENT:

There being no further business to come before the Town Board, upon motion of Councilman Reynolds and second by Councilman Messa the meeting was adjourned at 7:54 p.m.

(RESOLUTION NO. 439 OF 2021)

RESOLVED that the New Hartford Town Board does hereby accept and approve as submitted the approval to adjourn.

Upon roll call, the Board members voted as follows:

- Councilman Messa - Aye
- Councilman Lenart - Aye
- Councilman Reynolds - Aye
- Councilman Woodland - Aye
- Supervisor Miscione - Aye

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The Resolution was declared unanimously carried and duly *ADOPTED*

Respectfully submitted,

Cheryl A. Jassak-Huther

Town Clerk

12/13/2021